

S.B. Cr. Bail Application No. 4677/2007
(Moti Vs. State of Rajasthan)

Date of order : 27.09.2007

HON'BLE MR.H.R.PANWAR,J.

Miss Anju Khichi on behalf of
Mr. P.R.Mehta for the petitioner.
Mr. V.R.Mehta, P.P.

Heard learned counsel for the petitioner and public prosecutor for the State. Perused the order impugned and police investigation diary. I have carefully gone through the statement of the prosecutrix aged 15 years recorded by the Judicial Magistrate under Section 164 Cr.P.C.

The prosecutrix has categorically levelled the allegation against the petitioner and co-accused Meetha that they forcibly took her on Motorcycle at various places and she was frequently subjected to forcible sexual intercourse. As such, there is allegation of committing gang rape against the petitioner and co-accused Meetha. In the circumstances, therefore, in my view, it is not a fit case to release the petitioner on bail. The bail application filed by the petitioner under Section 439 Cr.P.C. is therefore, dismissed.

(H.R.PANWAR), J.

rp